

**Brownfields Study Group**  
**Meeting Notes**  
**April 28, 2000**  
**UW-Madison Pyle Center**

**Attendees:**

Brian Borofka  
Kendra Bonderud  
Loren Brumberg  
Darsi Foss  
Mark Giesfeldt  
Joanna Glowacki  
Jeff Gohlke  
Mark Gordon  
Ken Haberman  
Jerry Hall  
Art Harrington  
Percy Mather  
Peter McAvoy  
Jessica Milz  
Gene Mitchell  
Doug Meinhardt

Vickie Moy  
Thomas J. Mueller  
Jane Neumann  
Michael Prager  
Jamie Radel  
John Robinson  
Michael Sachen  
Andrew Savagian  
Jason Scott  
John Stibal  
John Stricker  
Pat Sullivan  
Brendan Sylvander  
Anna Thomas  
Marc Weinberger  
Manyee Wong

**Agenda Repair**

**Subcommittee Reports**

**FINANCIAL INCENTIVES SUBCOMMITTEE:** John Stibal went over last Finance Subcommittee meeting. Subcommittee members identified key issues for the subcommittee to work on. NOTE! Please see April 13, 2000, meeting minutes on DNR web site for more information ([www.dnr.state.wi.us/org/aw/rr](http://www.dnr.state.wi.us/org/aw/rr)). Please contact John Stibal if there are other issues that you think need to be identified by the Subcommittee.

**Next meeting: MAY 23.** Jim Linton from Michigan's brownfields program will be invited to talk about Michigan's brownfields financial programs. Meeting will be at Pyle Center in Madison (check upcoming emails and web site for more meeting information).

**LOCAL GOVERNMENT SUBCOMMITTEE:** John Robinson summarized last several Local Government Subcommittee meetings and issues the group will be working on, including assessment of properties by Dept. of Revenue and transferring judgement on tax delinquent properties to private parties.

**Next meeting: May 9.**

Art Harrington: Is your committee looking at Smart Growth from a statutory view or an implementation view?

John Robinson: Our initial concern is looking at the Smart Growth process and how these communities will identify their brownfields properties.

John Stibal: Legislation seems rather rural, rather than urban focused.

**LIABILITY INCENTIVES SUBCOMMITTEE: Next Meeting is May 4.** Members will follow up on VPLE insurance issue. Insurance companies may be invited to next meeting to discuss what's out there for insurance. On the cost recovery issue, a recent federal lawsuit was ruled on, which may make a state private cause of action more relevant.

### **Innovations**

**BLIS:** Brendan Sylvander from Commerce gave an overview of the Brownfields Location Information System (BLIS). Forms to enter properties will be on the Commerce Web site soon. Brendan provided a "live" presentation of BLIS on line and covered the attributes of the system. This is not currently up and running, but will be soon.

Kendra Bonderud: Is there a link to DNR's system, BRRTs?

Brendan: not yet, meeting with them soon.

Brian Borofka: Should it be linked to DNR's FACTs system?

Vickie Moy: Will BLIS be connected to Smart Growth maps? Regional planning commissions may be a good first choice.

Brendan: Hopefully DOA will be aware of all these systems and interconnect these systems.

Question: How are you going to get the properties on the system?

Brendan: Commerce staff will be sending letters to counties and get the word out through traditional means

Ken Haberman: How will the database be updated once the properties are reused?

Tom Mueller: Mark the properties as "sold", etc., and show the success of the effort.

Brian Borofka: Who can put property on system?

Brendan:: owner must give permission.

**BRRTS and GIS Registry:** Michael Prager gave a presentation. Bureau for Remediation and Redevelopment Tracking System (BRRTS) is the DNR's database for tracking actions at contaminated properties. Of the thousands of sites in the database, approximately 10,000 are considered brownfields. The BRRTS will soon be available on the web, hopefully by the early fall. The GIS Registry, which will show groundwater use restrictions and will also be available via the Internet, will take more time for the DNR to get up and running.

**CRESTWOOD** – Art Harrington, Darsi Foss, and Percy Mather gave overview of an innovative cleanup agreement. City of Glendale, lender, DNR and CDA involved in cleanup agreement. City and lender partnered together to get this cleaned up.

### **UPDATES**

- **EPA:** Jane Neuman from the EPA gave an overview of the status for the agency's funding programs. 155 applicants for site assessment moneys. No word yet on awards. May use extra BRLCF money that was leftover.

Art Harrington: Does EPA have any concerns over liability for waterfront development?

- **Site Assessment Grant:** Percy Mather from the DNR provided an overview of the new grant development rule that the 1998 Study Group proposed. The Natural Resources Board will meet on May 23 to vote on approving emergency rules. The DNR needs to award the \$1.45 million prior to the end of the biennium. 70 percent of money awarded will be between \$2,000 and \$30,000, and 30 percent will be for grants over \$30,000 and up to 100,000. Staff anticipate small grants will be due August 1 and large grant applications due on November 1.

- **VPLE Insurance:** Michael Prager gave an overview of the VPLE rule-making efforts on environmental insurance for interim liability and natural attenuation. Discussed options for procuring insurance for NA; may be thinking of a state master policy for NA based on discussion and recommendations from insurance industry. Staff will need to meet with DOA and discuss options. Rule advisory committee will likely not meet in the near future. State agencies need time to digest comments from insurance community reps. and factor those into future proposals.
- **Solid Waste Update:** Mark Gordon from RR and Gene Mitchell from Waste provided overview of waste streamlining time table (time table will be sent in in follow up email). Goal is not to do a lot of rule drafting/revising. Schedule was put together to coincide with BF Study group meetings, so drafts can be shared with the BF Study Group.
- **Hazardous Waste:** Mark Giesfeldt gave an overview of where we are on this issue. EPA denied Brownfields/RCRA pilot MOA and did not give the state any reason for its denial. A number of externals have expressed concern and have made contact with Wisconsin's congressional delegation. Right now, DNR is evaluating how and when to move forward with Regulatory Innovation package which forwards the issues from the pilot, using a different method.
- **Governor's TIF Task Force:** Marc Weinberger gave overview of task force's first meeting. Did not address any remediation issues at this first meeting.

Question: will there be any discussion on cross-collateralization (cross-funding) of TIFs?

Marc: thought there would be.

DOR is running committee. John Rader, DOR division administrator, is heading up committee. Marc will get us list of members. Group wants to know how to get them our brownfield ideas.